

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
January 1, 2007**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Aldag, Travis Ida Co. (3)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Answer Filed	7/18/05 11/29/05 12/01/05
Bridges Bay Resort, LLC Spirit Lake (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred	9/19/06
Bulk Petroleum Corporation 28 Sites (1) (6)	Underground Tank	Operation and Maintenance Violations	Referred to Attorney General	Referred	6/19/06
Cargill, Inc.; Mort's, Inc. Iowa Falls (2) NEW	Solid Waste Wastewater	Illegal Disposal; Prohibited Discharge	Referred to Attorney General	Referred	11/14/06
Clinton, City of (6)	Wastewater	Compliance Schedule; Discharge Limits	Referred to Attorney General	Referred	9/19/05
Cohrs, Bernard; Cohrs Construction Dickinson Co. (3) NEW	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred	11/14/06
Des Moines, City of; Metropolitan WW Reclamation Authority (5)	Wastewater	Compliance Schedule	Referred to Attorney General	Referred	8/15/06
De Vos, Harold and Sharon Rock Rapids (3)	Air Quality Solid Waste Wastewater	Open Burning; Illegal Disposal; Operation Without Permit	Order	Referred	9/19/06
Environmental Recycling Co., Inc. Dwight Oglesbee Masena (4) NEW	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred	12/05/06
Farmers Co-Operative Society Sioux Center (3) UPDATED	Animal Feeding Operation	Discharge Limits; Prohibited Discharge – Confinement/Open Feedlot; Land Application Separation Distance; Failure to Report a Release; WQ Violations – General Criteria	Referred to Attorney General	Referred Petition Filed Consent Decree (\$40,000/Civil; Injunction)	3/20/06 12/11/06 12/11/06
General Motor Corporation Sioux City (3)	Hazardous Condition	Remedial Action	Order	Referred	9/19/06

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Heisdorffer, Leland Keokuk Co. (6)	UPDATED	Air Quality Solid Waste	DNR Defendant	Defense	Petition Filed (No original notice served) IDNR's Motion to Dismiss/Strike Hearing Date Trial Date Ruling on Motion (Dismissed all damage claims against the State)	10/06/05 8/07/06 9/01/06 10/12/06 9/11/06
Kruse Dairy Farm, Inc. Dyersville (1)		Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred	12/19/05
Landfill of Des Moines #4 Des Moines (5)		Solid Waste	Operation Permit Violations – Other	Referred to Attorney General	Referred	4/17/06
Leigh, Marsha Glenwood (4)		Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Defendant's Motion to Dismiss State's Resistance/Motion to Dismiss Motion to Intervene Hearing on Motion to Dismiss Ruling Denying Motion to Dismiss Resistance to Motion to Intervene Hearing on Motion to Intervene Ruling Denying Motion to Intervene Hearing on Defense Motions Motion for Judgment on Default Order Granting Default Judgment (\$100,000/Civil; \$10,000/Admin. & Injunction)	9/20/04 3/29/05 4/20/05 5/02/05 5/12/05 5/23/05 5/23/05 5/23/05 6/27/05 6/29/05 12/05/05 9/12/05 12/7/05
Miller, Albert Kalona (6)		Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred	9/19/06
Miller, Robert Batavia (6)		Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred	8/15/06
Mobile World LC Camanche (6)		Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Bankruptcy Petition Filed Plan for Reorganization Appearance by State in Bankruptcy Notice of Intent to Seek Default Appearance by Defendant Trial Date	8/16/04 4/08/05 4/13/05 4/13/05 6/17/05 3/03/06 3/08/06 11/19/06
Moellers, Kenneth Cresco (1)	UPDATED	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Failure to Report a Release; WQ Violations – General Criteria	Referred to AG	Referred Petition Filed	2/20/06 12/11/06

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Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5) UPDATED	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed Application for Temporary Injunction Temporary Injunction Trial Date Partial Judgment (Clean-up Order) Contempt Application Contempt Hearing Date Contempt Finding and Civil Penalty (\$100,000 and 30 Days in Jail – Suspended until 7/8/03) Hearing Regarding Contempt Order Regarding Bond/Cleanup Deadline Bond Posted State Objections to Bond Ruling Denying Objections to Bond Status Hearing Date Hearing on Motion to Extend Cleanup Deadline Order Reinstating \$100,000 Civil Penalty Site Clean-up Completed	12/15/97 10/02/98 2/04/99 4/19/99 9/13/00 9/28/00 12/12/02 2/20/03 2/20/03 7/09/03 8/01/03 8/01/03 8/20/03 9/18/03 4/16/04 12/10/04 1/05/05 8/15/06
Pedersen, Dean Laurens (3)	Animal Feeding Operation	Failure to Update Plan	Referred to Attorney General	Referred Petition Filed	4/17/06 12/11/06
Pellett Chemical Co., Inc. Wiota (4)	Underground Tank	Failure to Submit Tier 2 Site Assessment	Referred to Attorney General	Referred	6/19/06
Peterson, David Lake Mills (2)	Animal Feeding Operation	Application in Excess of Crop Usage Rate; Prohibited Discharge – Confinement; Failure to Report a Release; WQ Violations – General Criteria	Referred to Attorney General	Referred	11/21/05
Plymouth Dairy Farms Plymouth Co. (3)	Animal Feeding Operation	Prohibited Discharge – Confinement; Record Keeping; Application in Excess of Crop Usage Rate; Freeboard	Referred to Attorney General	Referred Petition Filed	9/19/05 1/10/06

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Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Roquette America Keokuk (6)	Air Quality	DNR Defendant	Defense	Petition Filed	8/28/03
				DNR's Answer	9/11/03
				DNR's Resistance to Temporary Injunction	9/11/03
				Hearing on Temporary Injunction	9/11/03
				DNR's Brief in Resistance	9/29/03
				Roquette's Brief	9/30/03
				Ruling on Temporary Injunction	1/14/04
				Trial Scheduling Conference	1/06/05
				Trial Date	10/24/05
				Motion for Continuance	6/29/05
				Order Granting Continuance	6/29/05
				Trial Date	4/24/06
				Trial	4/24-28/06
				Roquette's Request to Reopen Evidence	5/25/06
				IDNR Resistance to Reopening Evidence	6/02/06
				Roquette's Reply to Resistance	6/19/06
				IDNR Motion/Supp. Resistance	6/21/06
				Order Denying Roquette's Request to Reopen Evidence	7/05/06
Roquette America, Inc. Keokuk (6)	Air Quality	Construction Without Permit	Referred to Attorney General	Referred	9/19/06
Rose Bowl, The Mason City (2)	Drinking Water	Monitoring/Reporting – Bacteria, Nitrate; Public Notice	Referred to Attorney General	Referred	7/17/06
Schoenberr, R. B. d/b/a Long Branch Tavern Monmouth (1)	Drinking Water	Permit Renewal	Orders/Penalties	Referred	6/20/97
				Court Order	12/09/98
				Re-Referred	11/21/02
				Petition Filed	3/11/05
				Application for Contempt	3/11/05
				Contempt Hearing	4/01/05
				Order for Contempt (\$3,000 fine)	8/05/05
				Arrest Warrant Issued	4/01/05
				Contempt/Temporary Injunction Hearing	5/03/05
				Temporary Injunction Granted	5/03/05
				Contempt Hearing Date	7/06/05
				Contempt Hearing	8/05/05
				Order Finding Defendant in Contempt \$3,000 Fine	8/05/05
				Amended Petition	1/31/06
Simpson, Barry Worth Co.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed Answer Filed	10/18/04 11/04/04

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Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
SNF, Inc. dba Brand FX Body Company Pocahontas (3)	Air Quality	Operational Violations	Referred to Attorney General	Referred	9/19/06
Stone v. Rembrand Enterprises, Inc.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed State Motion to Dismiss Hearing Ruling Dismissing Damage Claims State's Motion for Summary Judgment Order Granting Continuance Hearing on Summary Judgment State's Supp. Reply to Plaintiff's Resistance to Motion for Summary Judgment Ruling Denying Motion for Summary Judgment Application for Interlocutory Appeal Memorandum in Support of Interlocutory Appeal	12/06/04 1/10/05 3/07/05 5/17/05 2/27/06 3/20/06 5/01/06 6/19/06 10/04/06 11/03/06 11/03/06
Sweitzer, Chad and Lona; Winter Mobile Home Park New Hampton (1) NEW	Drinking Water	Operation Without Permit; Monitoring/Reporting – Bacteria; MCL – Bacteria	Referred to Attorney General	Referred	11/14/06
Williams, Dean Stuart (2)	Underground Tank	Remedial Action	Referred to Attorney General	Referred Petition Filed Answer Filed Motion for Partial Summary Judgment	10/17/05 12/08/05 12/23/05 6/05/06

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT

January, 2007

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	ARC #	RULES REVIEW COMMITTEE	HEARING	PERIOD	COMMENT COMMISSION	FINAL SUMMARY TO ADOPTED	RULES PUBLISHED	RULES ARC #	COMMITTEE	RULES REVIEW EFFECTIVE	RULE
1. Ch. 11 – Tax Certification of Pollution Control or Recycling Property	9/19/06	10/11/06	5450B	11/20/06	11/08/06	11/08/06	12/05/06	12/05/06	*1/03/07			*2/06/07	*2/07/07
2. Ch. 21, 22, 23, 25 and 34 – Incorporate Federal Regulations	11/14/06	12/06/06	5599B	*1/03/07	*1/08/07	*1/09/07	*2/06/07	*2/06/07	*3/14/07			*4/03/07	*4/18/07
3. Ch. 43 – Water Supplies – Design and Operation – Construction Permit Fees	9/19/06	10/11/06	5449B	11/20/06	11/01/06	11/03/06	12/05/06	12/05/06	*1/03/07			*2/06/07	*2/07/06
4. Ch. 61 – WQS Section 401 Certification of Section 404 NWP	11/14/06	12/06/06	5598B	*1/03/07	12/26/06	12/26/06	*2/06/07	*2/06/07	*3/14/07			*4/03/07	*4/18/07
5. Ch. 64 – Sewer Extension Construction Permit Provisions	12/05/06	*1/03/06		*2/06/07	*1/24/07	*1/26/06	*2/05/07	*2/05/06	*2/28/07			*3/06/07	*4/04/07
6. Ch. 67 – Updates and Revisions	12/05/06	*1/03/06		*2/06/07	*1/24/07	*1/26/07	*2/05/07	*2/05/07	*2/28/07			*3/06/07	*4/04/07
7. Ch. 81 – Op. Cert. – Public Water Supply Systems and WW Treatment Systems	12/05/06	*1/03/06		*2/06/07	*1/24/07	*1/26/07	*2/05/07	*2/05/07	*2/28/06			*3/06/07	*4/04/07
8. Ch. 103-106, 112, 114, 115, 118, 120-123 – Financial Assurance Regulations	12/05/06	*1/03/06		*2/06/07	*3/28/07	*3/28/07	*5/07/07	*5/07/07	*6/06/07			*7/05/07	*7/11/07
9. Ch. 113 – Sanitary Landfills for Municipal SW: Groundwater Protection Systems for the Disposal of Non-Hazardous Wastes	11/14/06	12/06/06	5597B	*1/03/07	*1/22, 24 and 26/07	*1/26/07	*2/06/07	*2/06/07	*3/14/07			*4/03/07	*4/18/07
10. Ch. 118 – Discarded Appliance Demanufacturing	8/21/06	9/27/06	5387B	10/10/06	10/04/06	10/04/06	12/05/06	12/05/06	*1/03/07			*2/06/07	*2/07/07
11. Ch. 215 – Mercury Switch Removal	8/21/06	9/27/06	5386B	10/10/06	10/04/06	10/04/06	11/14/06	11/14/06	12/06/06	5600B		*1/03/07	*1/10/07

* Projected

**IOWA DEPARTMENT OF NATURAL RESOURCES
COMPLIANCE AND ENFORCEMENT BUREAU**

DATE: January 1, 2007
TO: Environmental Protection Commission
FROM: Ed Tormey
SUBJECT: Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola)	UT	9,292	3-15-96
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Lindahl & Sons Salvage (Boone)	AQ/SW	10,000	11-29-00
R & R Ranch (Osceola)	WW	10,000	8-30-00
Alice Hillhouse; Hillhouse Real Estate Corp. (Denison)	UT	3,000	2-28-01
Teckenburg, Inc.; Jerry Teckenburg (Cedar Rapids)	UT	6,380	7-06-01
Donald and Marie Phillips (Milo)	WW	469	7-09-01
Keith Craig; The Farm (Council Bluffs)	UT	3,890	8-08-01
James Harter (Fairfield)	WW	1,780	8-01-01
Wisconsin North dba National Petroleum, Inc. (Clinton)	UT	5,000	8-04-01
# Troy DeGroote; Casey DeGroote (Butler Co.)	AFO/AQ/SW	242	3-08-02
Charlotte Caves (Oskaloosa)	HC	10,000	4-03-02
# Practical Pig Corporation (Clinton Co.)	AFO	2,000	5-26-02
Mobile World, L.C. (Camanche)	WW	2,000	5-27-02
M-F Real Estate; Fred "Butch" Levell (Carter Lake)	HC	1,701	8-18-02
Midway Oil Co.; David Requet (Davenport)	UT	5,355	9-20-02
Dale Schaffer (Union Co.)	AQ/SW	10,000	11-05-02
Wilbur McNear d/b/a McNear Oil Co. (Onawa)	UT	3,930	12-17-02
Jeff Reed d/b/a Reed's Service (Lenox)	UT	7,250	1-12-03
U.S. Petro, Inc.; SSJG Petroleum; Sukhdev Singh	UT	32,690	2-28-03
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Efren Valdez (Warren Co.)	SW	2,782	6-09-03
Mobile World LC (Clinton Co.)	SW	2,250	6-29-03
Albert Miller (Kalona)	AQ/SW	10,000	9-26-03
* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	2,113	12-15-03
Robert L. Nelson (Orient)	UT	657	12-26-03
Mark Anderson (Des Moines Co.)	AQ/SW	6,188	3-22-04

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Mike Phillips aka Jeff Phillips (Cambridge)	AQ	5,000	3-27-04
Mike Messerschmidt (Martinsburg)	AQ/SW	500	4-13-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
R. Victor Hanks; Mobile World L.C. (Camanche)	WW	10,000	5-23-04
Emer Carlson (Fairfield)	AQ	6,500	6-01-04
#*Floyd Kroeze (Butler Co.)	AFO	1,500	6-01-04
Iowa Falls Evangelical Free Church (Iowa Falls)	WS	750	6-13-04
Mitchell Town Pump (Mitchell)	WS	2,080	6-16-04
# Dunphy Poultry (Union Co.)	AFO	1,500	6-27-04
Shane Preder (Ft. Madison)	AQ	477	7-12-04
James L. Heal d/b/a A-1 Domestic (Homestead)	SW/WW	1,800	7-16-04
Ranch Supper Club (Swisher)	WS	300	8-02-04
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000	8-03-04
#*James Boller (Kalona)	AFO	3,634	8-19-04
# Cash Brewer (Cherokee Co.)	AFO/SW	10,000	8-25-04
Spillway Supper Club (Harpers Ferry)	WS	1,500	9-06-04
David Niklasen (Shelby Co.)	SW	100	9-11-04
# Doorenbos Poultry; Scott Doorenbos (Sioux Co.)	AFO	1,500	10-09-04
T & T Corner Bar (McIntire)	WS	3,000	10-26-04
Rock N Row Adventures (Eldora)	WS	3,000	10-23-04
# Jason Fox (Audubon Co.)	AFO	1,000	11-27-04
# Norm Cleveringa (Lyon Co.)	AFO	750	11-27-04
Americana Bowl (Ft. Madison)	WS	100	11-28-04
Howard Traver, Jr. (Cass Co.)	SW	3,000	12-14-04
Valley Country Café; NOO Investment Co. (Cass Co.)	WS	5,000	2-18-05
Denzel Edwards (Cass Co.)	AQ/SW/HC	500	3-01-05
* Fran Oil Company (Council Bluffs)(3 Admin. Orders)	UT	4,300	4-09-05
# Mike Rausch; Justin Rausch (O'Brien Co.)	AFO	2,000	4-02-05
Virgil Ehlers; Ehlers Oil Co. (Soldier)	UT	8,040	4-23-05
ARC Communities 8 LLC; Sunrise MHP (Newton)	WW	2,000	4-23-05
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
#*Dennis VanDerWeide (Sioux Co.)	AFO	500	6-01-05
* Country Stores of Carroll, Ltd. (Carroll)	UT	1,658	6-06-05
Mehmert Tiling, Inc. (Cresco)	UT	8,849	6-10-05
Elery Fry; Allen Fry; Mel Fry; Ron Fry (Moravia)	SW	10,000	6-20-05
Fedler and Company; Tony Fedler (Mt. Pleasant)	HC	3,670	6-25-05
# Matt Hoffman (Plymouth Co.)	AFO	750	8-08-05
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	8,500	12-29-05
Vernon Kinsinger (Washington Co)	SW	3,930	12-31-05
* Paul Shimp & S & V Fence Co. (Eldridge) (\$950/SEP)	AQ	550	1-16-06
# Joel McNeil (Kossuth Co.)	AFO	2,500	1 21-06
Carl Cliburn (Wapello Co.)	AQ/SW	3,496	2-03-06
TOMA Properties, LLC (Washington)	WS	1,000	2-17-06
Robert Plendl; Plendl Brothers Trucking (Kingsley)	UT	3,000	2-25-06
#*Randy Hauan (Winnebago Co.)	AFO	1,092	4-03-06
Affordable Asbestos Removal, Inc. (Monticello)	AQ	7,000	4-28-06

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Jeff Albrecht (Humboldt Co.)	AQ	500	5-06-06
CRM Enterprises; Envirobest, Inc. (Iowa City)	AQ	7,000	5-21-06
West Central Cooperative (Ralston)	WW	3,000	6-12-06
Point Builders LLC; Steve Crawford (Mason City)	WW	2,000	6-16-06
James L. Heal; A-1 Imports (Homestead)	WW/SW	10,000	6-18-06
#*Tony Mertens (Mt. Pleasant)	AFO	2,644	7-20-06
#*E & N Farms, Ltd. (Lyon Co.)	AFO	1,400	8-01-06
Michael Drea (Woodbury Co.)	AQ	6,000	8-13-06
#*Dennis Kuehl (Cass Co.)	AFO	1,500	10-15-06
# Troy VanBeek (Lyon Co.)	AFO	3,500	10-16-06
# Lane Bachman (Calhoun Co.)	AFO	3,500	10-21-06
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	1,000	11-01-06
Rueter & Zenor Co.; Rueters Red Power (Carroll) SEP	AQ/SW	400	11-06-06
# Randy Rudolph (Audubon Co.)	AFO	3,500	11-06-06
# Ted Dickey dba Dickey Farms (Muscatine Co.)	AQ/SW/AFO	8,000	11-07-06
# Jeffrey Griebel dba Hawkeye Pork (O'Brien Co.)	AFO	3,500	11-18-06
#*Dale Schumann (Buena Vista Co.)	AFO	2,000	12-01-06
* Country Terrace Mobile Home Park (Ames)	WW	1,240	12-01-06
* Tri Star Petroleum, LLC (Davenport)	UT	4,000	12-01-06
* Waddell's Metal Recycling (Blue Grass)	AQ	2,250	12-01-06
# Robin Hewer (Clinton Co.)	AFO	2,250	12-15-06
#*Harvey Driesen (Sioux Co.)	AFO	2,500	12-15-06
* Fred Miller; Earthworks Contracting (Quimby)	AQ	8,020	12-15-06
* John Danker (Lee Co.)	AQ/SW	3,608	12-22-06
* Crestview Mobile Home Park (Ames)	WW	2,250	1-01-06
#*Galen Drent (Boyden)	AFO	1,676	1-01-07
#*Rick Nikkel (Jasper Co.)	AFO	500	1-01-06
* Wayne Staab (Plymouth Co.)	AQ	250	1-01-07
#*Rick Halma (Lyon Co.)	AFO	900	1-01-07
#*Randy Gergen; R & D Farms (Sioux Co.)	AFO	1,875	1-15-07
* Midway Water & Lighting Co., Inc. (Marion)	WS	1,100	1-20-06
#*Paul Rehder (O'Brien Co.)	AFO	1,125	2-01-07
* Curt Kline; Connie Kline (Dunlap)	AQ	1,500	3-01-07
#*Charles F. Deering, Jr. (Postville)	AFO	3,750	3-30-07
Tyson Fresh Meats (Denison)	AQ	5,500	1-27-07
Bruce Piper; Piper Motor Company, Inc. (Bloomfield)	AQ/WW	10,000	12-16-06
# Western Horizon Farms; Douglas Finisher (Sac Co.)	AFO	3,000	12-16-06
# David Lorch (Dickinson Co.)	AFO	3,000	12-21-06
# Loren Wuebker (Calhoun Co.)	AFO	3,000	12-21-06
USDA National Animal Disease Center (Ames)	AQ	3,685	12-21-06
USDA National Animal Disease Center (Ames)	AQ	10,000	12-21-06
#*Charles Wauters (Keystone)	AFO/SW	3,500	12-01-07
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	-----
TOTAL		499,711	

The following cases have been referred to the Attorney General:

Long Branch Tavern (Monmouth)	WS	100
Long Branch Tavern (Monmouth)	WS	6,400
Long Branch Tavern (Monmouth)	WS	200
The Universal Assembly of Christians; Marsha Leigh	AQ/SW	10,000
Pat Kelly d/b/a Kelly Construction (Denison)	UT	1,860

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Roger Ginger d/b/a L & L Standard (Everly)	UT	5,750
# Travis Aldag (Ida Co.)	AFO	3,000
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	7,300
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	6,000
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070
Relative, Inc.; Doug Smuck (Des Moines)	UT	600
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000
Randy Ballard (Fayette Co.)	FP	2,000
Edward Bodensteiner (Des Moines)	UT	3,200
Hofer's Danceland Ballroom (Walford)	WS	3,200
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000
Russell Zook d/b/a Haskin's Recycling (Washington Co.)	AQ/SW	5,000
#*Harold Unternahrer (Washington Co.)	AFO	700
Hofer's Danceland Ballroom (Walford)	WS	100
Phillips Recycling; Jeff Phillips (Story Co.)	WW	1,800
Jim Walker (Johnson Co.)	AQ/SW	3,000
Iowa Millenium Investors, LLC (Sumner)	UT	4,000
Jim Ledenbach d/b/a Paper Recovery Company (Cedar Rapids)	SW	5,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Plain Salvage Inc. (Sac City)	AQ/SW	10,000
Wisconsin North dba National Petroleum (Clinton)	UT	2,840
Bee Rite Tire Disposal; Jerry Yeomens (Marshall Co.)	SW	10,000
Marvin Oberly (Burlington)	WW	1,300
Mark Buringrud fdbs Carpenter Bar & Grill (Carpenter)	WS	2,500
Richard Davis (Monroe Co.)	AQ	8,000
Honey Creek Campground (Crescent)	WS	1,000
Ryan Barton; Theresa Barton (Kellerton)	AQ/SW	1,000
Mobile World LC (Camanche)	AQ/SW	10,000
Oran Pub & Grill (Fairbank)	WS	100
M.A., Inc.; Spring Grove Mobile Home Park (Burlington)	WW	7,000
M.A., Inc.; Westside Park for Mobile Homes (Lee Co.)	WW	7,000
Dave Paplow (Indianola)	AQ/SW	5,000
Meadow Mist Motel (Fayette Co.)	WS	500
Park View Motel (Oelwein)	WS	750
Plantation Village Mobile Home Park (Burlington)	WS	500
# Dean Pedersen (Pocahontas Co.)	AFO	450
TOTAL		156,220

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Dallas County Care Facility (Adel)	WW	2,500
Gerald and Judith Vens (Scott Co.)	FP	5,000
# Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.)	AFO	3,000
# Dan Witt (Clinton Co.)	AFO	3,000
Dallas County Care Facility (Adel)	WW	5,000
Kevin Wallerich (Keota)	SW/WW	500
# Doug Wedemeyer (Adair Co.)	AFO	2,500
Mt. Pleasant, City of	WW	500
# Kenneth Dahlhauser (Whittemore)	AFO	2,500
Stanley Siems (Hardin Co.)	AQ/SW	10,000
Schell Family Partnership (Boone Co.)	HC/SW	5,000

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Chelsea, City of	WW	3,000
# Doug Osweiler (South English)	AFO	5,000
# Ray Slach (Cedar Co.)	AFO	3,000
# Iowa Select Farms, LP; Swartz Finisher Farm (Hardin Co.)	AFO	500
# Natural Pork Production, II LLC (Shelby Co.)	AFO	5,000
Roger Eblen; Eblen Develop.; (Whispering Woods-Council Bluffs) (10,000/each)	WW	20,000
# Iowa Select Farms, L.P.; Kerrigan Facility (Union Co.)	AFO	1,000
# D & D Ag Enterprises, LLC (Union Co.)	AFO	2,000
# Iowa Select Farms, Inc.; Clarke Sow (Clarke/Union Co.)	AFO	5,000
# Southern Waste Handling, Inc. (Mr. Ayr)	AFO	7,000
Country Living MHP (Altoona)	WW	5,000
Strawberry Point, City of	WW	10,000
B & H Food & Gas, Inc. (Davenport)	UT	10,000
U.S. Nation Mart, Inc. (Davenport)	UT	10,000
Tegh, Inc. (Bettendorf)	UT	8,500
# Jeff Holland (Winnebago Co.)	AFO	5,500
Pocahontas, City of	WW	5,000
# T. Patrick and Laurie Cashman (Deep River)	AFO	750
# Bob Kerrigan (Union Co.)	AFO	750
Carpenter Bar & Grill (Carpenter)	WS	10,000
# Swine USA; Davis Finishing Site (Clarke Co.)	AFO	750
# Gettler Dairy (Guthrie Co.)	AFO	5,000
Iowa Ethanol, LLC; Reilly Construction Co. (Worth Co.)	WW	10,000
Broin & Assoc., Inc.; Iowa Ethanol, LLC (Worth Co.)	WS/WW	10,000
Broin & Assoc., Inc.; Otter Creek Ethanol (Osceola Co.)	WW	10,000
# Tim Trostel (Butler Co.)	AFO	2,000
# James Axtell (Hardin Co.)	AFO	500
Iowa Falls, City of	WW	10,000
LeMars, City of	WW	9,000
Ben Haven Mobile Home Park (Quasqueton)	WS	3,000
Alton, City of	FP	5,000
# Jansma Cattle Co., Inc. (Lyon Co.)	AFO	10,000
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000
# Michael Veenstra; Allan Veenstra (Mahaska Co.)	AFO	5,000
Marvin Bates (Iowa Co.)	AQ/SW/WW	10,000
# Dennis Rowenhorst (Sioux Co.)	AFO	3,000
F. J. Krob & Co. (Walker)	WW/HC	10,000
Gary Hart (Clinton)	AQ/SW	4,250
Cedar Rapids, City of	WW	5,000
Goose Lake, City of	WS	1,000
# Mike Elsbernd (Winneshiek Co.)	AFO	3,000
Leland Heisdorffer (Keokuk Co.)	AQ/SW/WW	10,000
# Ted T. Smith (Buena Vista Co.)	AFO	3,000
# Natural Pork Production II, LLC (Shelby Co.)	AFO	300
# Jerry Vander Platts (O'Brien Co.)	AFO	2,977
S. J. Louis Construction, Inc. (Pleasant Hill)	WW	5,000
MKKS, LLC (Urbandale)	UT	4,600
MKKS, LLC (Windsor Heights)	UT	6,500
MKKS, LLC (West Des Moines)	UT	4,600
Monty Branstad (Winnebago Co.)	AQ/SW	8,000
Pleasant Hill, City of	WW	10,000
Lawler, City of	WW	3,000
Honey Creek Campground (Pottawattamie Co.)	WW	1,000

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Peeters Development Co.; Mt. Joy MHP (Scott Co.)	WW	10,000
Randy Griffin (Jasper Co.)	AQ/SW	5,000
Hoover Land Corp.; River Road Golf Club (Algona)	WS	1,375
Colleen Weber (Mitchell Co.)	AQ/SW	1,500
Dirk Graves (Glenwood)	AQ	1,000
Ruby Field, Inc.; Ed Grafke (Sigourney)	UT	5,112
Goettsch Trucking and Seed, Inc. (Galva)	HC	5,500
* Reginald Parcel (Henry Co.)	AQ/SW	710
Iowa Quality Beef Supply Cooperative (Tama)	WW	10,000
Larry Bergen (Worth Co.)	AQ/SW	2,000
# Douglas J. Pudenz (Carroll Co.)	AFO	8,000
# Scott Lenz (Carroll Co.)	AFO	8,000
# Alan Bakker (Sioux Co.)	AFO	6,000
David Carlisle (Ringgold Co.)	SW	3,500
Edward Branstad; Jordan Branstad (Winnebago Co.)	AQ/SW	8,000
TOTAL		409,674

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Woodmoor Development (Cedar Rapids)	WW	3,000
#*Galen Drent (Boyden)	AFO	332
# Mill Park Feedlot, Inc. (Pottawattamie Co.)	AFO	2,000
* Midway Water & Lighting Co., Inc. (Marion)	WS	100
#*Rick Nikkel (Jasper Co.)	AFO	250
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	100
#*Cody Farms Inc. (Griswold) PAID IN FULL	AFO	4,125
Equipment Brokers; R.J. Trausch Industries (Audubon)	AQ/SW	1,500
Rock Valley Rural Water System	WS	4,000
#*Harvey Driesen (Sioux Co.)	AFO	250
# Robin Hower (Clinton Co.)	AFO	750
* Waddell's Metal Recycling (Blue Grass)	AQ	250
* Crestview Mobile Home Park (Ames)	WW	250
#*Mill Park Feedlot, Inc. (Pottawattamie Co.)	AFO	2,000
Kevin Glissman; Glissman Salvage (Council Bluffs)	AQ	3,000
City of Schaller	WW	1,000
* Dennis Gailey (Moorland)	AQ/SW	1,000
* Midway Water & Lighting Co., Inc. (Marion)	WS	100
* Crestview Mobile Home Park (Ames)	WW	250
#*Galen Drent (Boyden)	AFO	332
Anthony Trucking (Plymouth Co.)	WW	5,000
Avoca Implement (Avoca)	WW	500
# Larry Krogman (Lyon Co.)	AFO	2,000
* Curt Kline; Connie Kline (Dunlap)	AQ	500
#*Dale Schumann (Buena Vista Co.)	AFO	500
American Testing and Training; Affordable Hazards Removal	AQ	5,000

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

#*Rick Nikkel (Jasper Co.)	AFO	250
#*Greg Gerber (Lyon Co.) PAID IN FULL	AFO	250
#*Rick Halma (Lyon Co.)	AFO	600
* John Danker (Lee Co.)	AQ/SW	138
* Country Terrace Mobile Home Park (Ames)	WW	110
	TOTAL	39,437

The following penalties were collected by Revenue during the Month of November:

Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola)	UT	250
* Reginald Parcel (Henry Co.)	AQ/SW	150
# Jerry Vander Platts (O'Brien Co.)	AFO	13
# Jerry Vander Platts (O'Brien Co.)	AFO	10
	TOTAL	423

Total Monies Received in September/October	39,860
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*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Iowa Department of Natural Resources Environmental Services Division Report of Hazardous Conditions

During the period November 1, 2006, through November 30, 2006, 58 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Total Incidents	Substance				Mode				
		Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other*
October	52 (48)	5 (6)	34 (29)	12 (13)	14 (13)	29 (28)	0 (0)	3 (2)	2 (1)	4 (4)
November	58 (55)	12 (10)	29 (35)	17 (10)	19 (16)	26 (28)	2 (0)	4 (3)	1 (1)	6 (7)
December	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
January	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
February	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
March	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
April	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	110 (103)	17 (16)	63 (64)	29 (23)	33 (29)	55 (56)	2 (0)	7 (5)	3 (2)	10 (11)

(numbers in parentheses for same period last year)

*Other includes dumping, theft, vandalism and unknown.

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
4	14	6	6	19	9

Iowa Department of Natural Resources Environmental Services Division Report of Manure Releases

During the period November 1, 2006, through November 30, 2006, 11 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

Month	Total Incidents	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	12 (13)	0 (1)	9 (2)	0 (1)	3 (9)	9 (12)	0 (1)	3 (0)	0 (0)	1 (1)
November	11 (8)	0 (0)	2 (1)	4 (3)	5 (4)	8 (6)	2 (2)	1 (0)	0 (0)	1 (1)
December	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
January	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
February	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
March	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
April	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	23 (21)	0 (1)	11 (3)	4 (4)	8 (13)	17 (18)	2 (3)	4 (0)	0 (0)	2 (2)

(numbers in parentheses for the same period last year)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
0	3	5	2	1	0

DATE: January 1, 2007

TO: EPC

FROM: Ed Tormey

RE: Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number Date	Program	Alleged Violation	Action	
Cody Farms, Inc. Pottawattamie Co. (4)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot	Consent Order \$4,500	10/30/06
Larry Krogman, Lyon Co. (3)	Animal Feeding Operation	Failure to Update Plan	Consent Amendment \$2,000	11/02/06
Equipment Brokers, Inc. dba R.J. Trausch Industries, Inc. Audubon (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$1,500	11/06/06
Charles Wauters Keystone (1)	Animal Feeding Operation Solid Waste	Prohibited Discharge – Open Feedlot; Water Quality Violations – General Criteria; Illegal Disposal	Consent Order \$3,500	11/07/06
Western Horizon Farms LLC Dbas Douglas Finisher, Sac Co. (3)	Animal Feeding Operation	Failure to Update Plan	Consent Order \$3,000	11/12/06
Robin Hewer, Clinton Co. (6)	Animal Feeding Operation	Failure to Submit Plan	Consent Order \$750	11/16/06
Bruce Piper; Piper Motor Co., Bloomfield (6)	Wastewater Air Quality	Stormwater – Operation Without Permit; Open Burning	Order/Penalty \$10,000	11/16/06
Woodmoor Developments, Linn Co. (1)	Wastewater	Stormwater – Pollution Prevention Plan Violations	Consent Order \$3,000	11/20/06
Kevin Glissman dba Glissman Salvage, Council Bluffs (4)	Air Quality	Asbestos	Consent Order \$3,000	11/20/06
David Lorch, Dickinson Co. (3)	Animal Feeding Operation	WQ Violations – General Criteria	Consent Order \$3,000	11/21/06
Loren Wuebker, Calhoun Co. (3)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot	Consent Order \$3,000	11/21/06
American Testing and Training Affordable Hazards Removal, Waterloo (1)	Air Quality	Asbestos	Consent Order \$5,000	11/21/06
USDA National Animal Disease Center, Ames (5)	Air Quality	Monitoring/Reporting	Consent Order \$3,685	11/27/06

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
USDA National Animal Disease Center, Ames (5)	Air Quality	Monitoring/Reporting; Emission Standards; Operational Violations	Consent Order \$10,000	11/27/06
Tyson Fresh Meats, Denison (4)	Air Quality	Construction Contrary to Permit	Consent Order \$5,500	11/27/06
Environmental Recycling Co., Dwight Oglesbee, Massena (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to AG	12/05/06
Cargill, Inc.; Mort's Inc., Latimer (2)	Wastewater Solid Waste	Prohibited Discharge; Illegal Disposal	Referred to AG	12/05/06
Bernard Cohrs; Cohrs Construction, Inc. Dickinson Co. (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to AG	12/05/06
Chad and Lona Sweitzer; Winter Mobile Home Park New Hampton (1)	Drinking Water	Operation Without Permit; MCL – Bacteria; Monitoring/Reporting – Bacteria	Referred to AG	12/05/06
Avoca Implement Co., Avoca (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$500	12/05/06
Ottumwa-Wapello Solid Waste Commission, Ottumwa (6)	Solid Waste	Construction Contrary to Permit	Consent Order Stip. Penalties	12/13/06
Schell Partnership LLC, Boone (5)	Hazardous Condition; Solid Waste	Illegal Disposal	Consent Amendment	12/13/06
Black Hawk County Conservation Board, Cedar Falls	Wastewater	Monitoring/Reporting	Consent Order \$6,000	12/13/06

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

January, 2007

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
4/26/99	Gerald and Judith Vens	6	Order/Penalty	FP	Clark	9/20/04 – DNR staff gathering information to submit to DNR management.
12/01/99 12/08/99	Iowa Select Farms, L.P./AG Waste Consultants, Inc.	2	Order/Penalty	AFO	Clark	4/20/04 – ISF and Dept. attorneys unsuccessful attempt to contact AG Wastes Consultants attorney.
7/13/00	Dan Witt	6	Order/Penalty	AFO	Clark	4/26/04 – Settlement invitation letter sent.
10/02/01	Daryl Larson	6	Order	AFO	Clark	Negotiating before filing.
11/27/01	Dallas County Care Facility	5	Order/Penalty	WW	Hansen	10/03 – Letter to County attorney regarding appeal resolution. 1/04 – Letter to attorney regarding appeal. 4/04 – Dept. letter to attorney regarding appeal. 9/04 – Dept. letter to attorney regarding appeal.
1/23/02	Clearview Mobile Home Park	6	Permit Conditions	WW	Hansen	10/31/02 – Construction permit issued for improvement to lagoon system. 10/31/03 – Update on construction project requested from Dept. engineer. 1/30/04 – Status report requested from Dept. staff. 2/24/04 – Letter sent to attorney regarding resolving appeal. 3/15/04 – Letter from facility attorney regarding proposed upgrade with sand filters. 4/26/04 – Dept. letter to MHP attorney requesting construction schedule for project. 5/17/04 – Letter from MHP attorney with new schedule. 10/18/06 – Letter to attorney regarding schedule for resolving appeal. 10/06 – Letter to MHP attorney regarding resolution of appeal. 11/06 – Letter from MHP attorney regarding projects on hold due to revisions in WQ standards rules.
7/18/02	Mt. Pleasant, City of	6	Order/Penalty	WW	Hansen	\$500 penalty payment received for uncontested portion. 12/03 – Dept. letter with settlement offer. 1/30/04 – Dept. letter sent regarding settlement. 2/24/04 & 3/31/04 – Follow-up letters sent regarding settlement. 4/26/04 – Letter received from City attorney regarding Dept. settlement proposal.
7/23/02	Doug Wedemeyer	4	Order/Penalty	AFO	Clark*	4/30/04 – DNR letter sent.
8/25/02	Kenneth Dahlhauser	2	Order/Penalty	AFO	Clark	3/1/04 – Appellant's attorney agrees to send another settlement letter to client.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
January, 2007**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
11/22/02	Schell Family Partnership	5	Order/Penalty	SW/HC	Tack	Settled. Consent Order signed 12/12/06. \$5,000 for tire abatement. \$5,000 to City of Boone for clean-up or assessment. Property deeded to City of Boone.
11/27/02	Chelsea, City of	5	Order/Penalty	WW	Hansen*	9/18/03 – DNR letter. Will monitor for compliance through winter of 2004.
2/10/03	Doug Osweiler	6	Order/Penalty	AFO	Clark	Negotiating before filing.
2/24/03	Ray Slach	6	Order/Penalty	AFO	Clark	4/29/04 – Settlement invitation letter sent.
3/04/03	Iowa Select Farms; Swartz Finisher Farm	2	Order/Penalty	AFO	Clark	5/28/04 – Dept. makes counter offer in response to appellant's settlement offer. 6/15/04 – Second round of offers.
4/04/03	Natural Pork Production II, LLP (03-AFO-13)	6	Order/Penalty	AFO	Clark*	1/02/04 – DNR letter.
4/25/03	Ag Processing Inc.	2	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
6/23/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Kerrigan Gilt/Union Co.)	5	Order/Penalty	AFO	Clark	Negotiating before filing.
6/23/03	D & D Ag Enterprises LLC	4	Order/Penalty	AFO	Clark	Negotiating before filing.
7/10/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Clarke/Union)	5	Order/Penalty	AFO	Clark	Negotiating before filing.
8/12/03	Southern Waste Handling, Inc.	5	Order/Penalty	AFO	Clark	Negotiating before filing.
8/29/03	Country Living Mobile Home Park	5	Order/Penalty	WW	Hansen	6/23/04 – Construction permit issued. Settlement offer will be made. 9/04 – Status report from Dept. engineer requested regarding project construction status. 10/05 – Status report requested from Dept. engineer. 11/05 – Facility upgrade completed. New NPDES permit requested for upgraded facility. 12/16/05 – Settlement offer received from MHP attorney.
9/05/03	Strawberry Point, City of	1	Order/Penalty	WW	Hansen*	1/5/04 – City to upgrade facilities, compliance will be monitored through 2005.
10/08/03	TEGH, Inc. (03-UT-15)	6	Order/Penalty	UT	Wornson	TEGH, Inc. no longer operator; questionable as a viable corporation. Review options.
10/27/03	B & Food & Gas, Inc. (03-UT-12)	6	Order/Penalty	UT	Wornson	B & H no longer operator; questionable as a viable corporation. Review options.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
January, 2007**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
10/27/03	U.S. Nation Mart, Inc. (03-UT-14)	6	Order/Penalty	UT	Wornson	Proposed settlement terms.
12/02/03	Jeff Holland	2	Order/Penalty	AFO	Clark	Negotiating before filing.
12/15/03	AGP (Emmetsburg)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
12/29/03	T. Patrick Cashman; Laurie Cashman	5	Order/Penalty	AFO	Clark	Negotiating before filing.
1/21/04	Bob Kerrigan	4	Order/Penalty	AFO	Clark	Negotiating before filing.
1/30/04	John Schmall d/b/a Carpenter Bar & Grill	2	Order/Penalty	WS	Hansen	2/26/04 – Letter to WS attorney regarding resolving appeal. 9/04 – Per WS section, facility has returned to compliance. 11/06 – Facility building burned down, facility closed.
2/09/04	Swine USA, LP	5	Order/Penalty	AFO	Clark	Negotiating before filing.
2/16/04	Iowa Ethanol, LLC; Reilly Construction Co., Inc.	2	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Otter Creek Ethanol, LLC	3	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Iowa Ethanol, LLC	2	Order/Penalty	WS/WW	Clark*	Meeting held 4/07/04.
2/18/04	Gettler Dairy, Inc.; Dave and Kristen Gettler	4	Order/Penalty	AFO	Clark	Negotiating before filing.
3/04/04	Tim Trostel	2	Order/Penalty	AFO	Clark	Negotiating before filing.
3/15/04	Iowa Falls, City of	2	Order/Penalty	WW	Hansen	6/04 – Dept. letter to City attorney regarding settlement. 8/06 – Letter from City attorney regarding resolving appeal. 10/06 – Letter to City attorney regarding settlement and setting case for hearing. 11/06 – Response received from City attorney concerning SEP proposal.
3/16/04	Axtell Finishers; James Axtell	2	Order/Penalty	AFO	Clark	7/29/04 – Dept. reject Axtell's settlement offer and inquires if immediate transfer to DIA is desired.
4/02/04	LeMars, City of	3	Order/Penalty	WW	Hansen	4/02/04 – Meeting held to discuss settlement. 1/05 – Tentative agreement reached on settlement.
4/08/04	Silver Creek Feeders	4	Permit Conditions	AFO	Clark	Negotiating before filing.
4/16/04	Ag Processing Inc. (Sheldon)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

January, 2007

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
4/16/04	Ben Haven Mobile Home Park	1	Order/Penalty	WS	Clark	Negotiating before filing.
5/12/04	Ag Processing, Inc.	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
5/18/04	Alton, City of	3	Order/Penalty	FP	Clark	Negotiating before filing.
5/25/04	CDI, LLC	6	Permit Conditions	AQ	Preziosi	Hearing continued to 1/07. Waiting for ALJ decision on motion for summary judgment.
5/27/04	CDI – Charles City	2	Permit Conditions	AQ	Preziosi	Hearing continued to 1/07. Waiting for ALJ decision on motion for summary judgment.
6/11/04	University of Iowa	6	NPDES Permit	WW	Hansen	Negotiating before filing.
6/18/04	CDI – Charles City	2	Title V Permit Determination	AQ	Preziosi	Hearing continued to 1/07. Waiting for ALJ decision on motion for summary judgment.
6/18/04	Phillip Renze	3	Order/Penalty	AFO	Clark	Negotiating before filing.
6/24/04	Jansma Cattle Co., Inc.	3	Order/Penalty	AFO	Tack*	Primary RP died. Current operation received construction permit on 11/06/06. Will be settled when construction is completed.
6/28/04	Michael Veenstra; Alan Veenstra	5	Order/Penalty	AFO	Clark	Negotiating before filing.
6/28/04	Robin Hower	6	Order/Penalty	AFO	Book	Hearing rescheduled for 6/30/06. Settled, no hearing – awaiting final settlement documents. Consent amendment in place. Penalty paid. Case closed.
8/06/04	Eldora, City of	1	Permit Conditions	WW	Hansen	WW Permits drafted NPDES permit with revised permit limits and compliance schedule. Legal Services to draft amended order with interim limits. 10/06 – Letter to City resolving appeal. Revised construction permit issued by Dept. Case closed.
10/08/04	Goose Lake, City of	6	Order/Penalty	WS	Hansen	10/06 – Letter to City regarding scheduling appeal for hearing. 11/06 – Penalty received. Case closed.
10/12/04	Gary Hart	6	Order/Penalty	AQ/SW	Tack	Hearing set for 1/19/07.
10/13/04	Charlie Van Meter; Van Meter Feedyard	5	Permit Conditions	WW	Clark	Negotiating before filing.
10/19/04	Cedar Rapids, City of	1	Order/Penalty	WW	Hansen*	To be set for hearing.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
January, 2007**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
10/21/04	Eugene Kramer	1	Permit Denial	WR	Clark	Negotiating before filing.
11/02/04	Mike Elsbernd	1	Order/Penalty	AFO	Book	Order and penalty affirmed. Inability to pay claim being evaluated by Department.
11/10/04	Ted T. Smith	3	Order/Penalty	AFO	Clark	Negotiating before filing.
12/06/04	Jerry Vander Platts	3	Order/Penalty	AFO	Book	Order and majority of penalty affirmed. Sent to DRF for collections 6/6/06.
12/10/04	IPSCO, Inc.	6	Permit Conditions	AQ	Preziosi	Requested continuance of hearing pending issuance of permits.
1/05/05	S.J. Louis Construction	5	Order/Penalty	WW	Hansen	To be set for hearing. 5/31/06 – Letter regarding appeal sent to company. Follow-up letter to be sent. 10/06 – Letter to company regarding scheduling appeal for hearing.
1/20/05	Pleasant Hill, City of	5	Order/Penalty	WW	Hansen	4/08/05 – Meeting with City regarding appeal and settlement. City made settlement offer regarding penalty. Offer rejected by DNR. City to provide further response by 5/05. No response received. To be set for hearing. 5/31/06 – Letter to City Attorney regarding appeal. Letter received from City Attorney regarding appeal. 10/06 – Dept. letter to City attorney regarding appeal and scheduling of hearing.
1/20/05	Monty Branstad	2	Order/Penalty	AQ/SW	Preziosi	ALJ issued proposed decision 11/13/06.
1/24/05	Lawler, City of	4	Order/Penalty	WW	Hansen	10/06 – Letter to City about resolving appeal. 12/06 – City council approved SEP proposal to be sent to Dept.
2/04/05	Honey Creek Campground	4	Order/Penalty	WW	Hansen	12/07/05 – Telephone call with Honey Creek attorney regarding hearing and compliance issues. 3/22/06 – Meeting at FO 4 with wastewater owner and attorney. 4/5/06 – FO4 inspection of campground. 5/12/06 – FO letter to facility regarding inspection. 5/22/06 – Letter received from Honey Creek attorney requesting waiver of penalty in view of inspection. Letter to Honey Creek attorney rejecting request to waive penalty.
2/17/05	CDI, LLC	2	Permit Conditions	AQ	Preziosi	Hearing continued to 1/07 Waiting for ALJ decision on motion for summary judgment.

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**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
January, 2007**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
2/24/05	Mt. Joy Mobile Home Park	1	Order/Penalty	WW	Hansen	10/06 – Letter to MHP regarding settlement of appeal. 11/06 – Information received from MHP owner regarding MORs and certified operator.
3/08/05	Randy Griffin	5	Order/Penalty	AQ/SW	Tack	Cleaned up as of 11/1/06. Proposed consent order sent on 12/18/06.
3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC 05-UT-02/Brady St., Davenport 8606991	6	Order/Penalty	UT	Wornson	Settled. Case closed.
3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC 05-UT-02/Brady St., Davenport 8606991	6	Order/Penalty	UT	Wornson	Settled. Case closed.
3/23/05	IPSCO (Muscatine)	6	Permit Conditions	AQ	Preziosi	Requested continuance of hearing pending issuance of permits.
3/25/05	Hoover Land Corp.	2	Order/Penalty	WS	Hansen	Negotiating before filing.
4/04/05	Ruby Field; Ed Grafke	6	Order/Penalty	UT	Wornson	No progress, set for hearing.
4/05/05	Dirk D. Graves	4	Order/Penalty	AQ	Tack	Letter sent to new attorney on 10/26/06.
5/02/05	Goettsch Trucking and Seed Co.	3	Order/Penalty	HC	Wornson	EPC decision final. Case closed.
5/25/05	Iowa Quality Beef Cooperative	5	Order/Penalty	WW	Hansen	6/26/06 – FO meeting with company officials to discuss reopening of plant. 7/12/06 – FO inspection of plant. 10/06 – To be set for hearing.
8/05/05	Scott Lenz	4	Order/Penalty	AFO	Book	Waiting to hear from producer.
8/11/05	Douglas Pudenz	4	Order/Penalty	AFO	Book	Waiting to hear from producer. Settled. Consent amendment with producer for signature.
11/21/05	CDI, LLC	2	Construction Permit	AQ	Preziosi	Hearing continued to 1/07 Waiting for ALJ decision on motion for summary judgment.
2/27/06	Greig & Co., Inc.	3	NPDES Permit	WW	Clark	Negotiating before filing.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
January, 2007**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
3/07/06	Larry Bergen	2	Order/Penalty	AQ/SW	Schoenebaum	Entry of default judgment is now final. Mailed Consent Amendment 10/12/2006 which offered Mr. Bergen the opportunity to enter into a payment plan. The plan requires 10-\$200.00 payments, due the 1st of each month beginning November 1, 2006. If one payment is missed all remaining payments become due immediately. Mr. Bergen did not respond to this offer. I called him on numerous occasions and discussed this payment plan with him. The full penalty is past due. Mr. Bergen was sent to revenue for collection.
3/23/06	Larry Krogman	3	Order/Penalty	AFO	Book	Settled. Consent amendment in place. Awaiting penalty payment.
3/28/06	Jordan Branstad; Edward Branstad	2	Order/Penalty	AQ/SW	Preziosi	ALJ issued proposed decision 11-13-06.
4/07/06	Alan Bakker	3	Order/Penalty	AFO	Book	ALJ affirmed decision and penalty. Penalty paid. Case closed.
4/10/06	Praxair, Inc.		Permit Conditions	AQ	Preziosi	Negotiating.
5/21/06	Good Connections, Inc.	5	Withdrawal of Redemption Center Approval	SW	Tack	Hearing set for 10/02/06.
6/21/06	David Carlisle	4	Order/Penalty	SW	Tack	Settled. Signed Consent Order returned by David Carlisle. Forwarded to Director. Order requires PPP and clean up.
7/07/06	Washington County (Permittee: Riverside Casino)	6	Water Use Permit	WR	Clark	Negotiating before filing.
8/07/06	Mill Park Feedlot, Inc.	4	Order/Penalty	AFO	Book	Consent amendment in place for Mill Park and Cody Farms. Both payments plans on schedule.
8/09/06	Cargill (Eddyville)	5	Permit Conditions	AQ	Preziosi	Waiting to hear from Cargill engineer. Meeting will be set with technical staff.
8/28/06	Winnebago Industries, Inc.	2	Title V Permit	AQ	Preziosi	Hearing continued to 1/07. Waiting for ALJ decision on motion for summary judgment.
10/06/06	Ted Dickey dba Dickey Farms	6	Order/Penalty	AQ/SW/AFO	Book	Negotiating before filing. Will set up a meeting after the first of the year.
10/26/06	XEthanol Biofuels, LLC	1	Permit Conditions	AQ	Preziosi	Negotiating before filing.

* These cases were previously assigned to Mike Murphy.

**Iowa Department of Natural Resources
Environmental Services
Report of WW By-passes**

During the period November 1, 2006 through November 30, 2006, 3 reports of wastewater by-passes were received. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events.

Month	Total	Avg. Length (days)	Avg. Volume (MGD)	Sampling Required	Fish Kill
October '06	3(11)	0.427	0.055	1	0(0)
November '06	3(7)	0.063	0.033	2	0(0)
December '05	7(7)	0.028	0.010	2	0(0)
January '06	10(6)	0.441	0.002	2	0(0)
February '06	6(9)	0.238	0.006	2	0(0)
March '06	12(9)	0.155	0.026	1	0(0)
April '06	12(14)	0.073	0.134	2	0(0)
May '06	11(18)	0.135	0.004	3	0(0)
June '06	9(7)	0.342	0.076	5	0(0)
July '06	9(5)	0.078	0.003	2	0(0)
August '06	15(13)	0.196	0.023	8	0(0)
September '06	9(3)	0.285	0.024	0	0(0)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
1	0	0	1	0	1

Environmental Services Division Variance Report

12/22/2006

Monthly Variance Report November 2006						
Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	Plymouth Co Solid Waste Commission	Waste Management	Alex Moon	Liner Side Slope	Approved	11/1/2006
2	City of Sheffield STP	Waste Water	James Hallmark	Two Cell Lagoon	Approved	11/3/2006
3	Iowa Army Ammunition Plant	Air Quality	Diane Brockshus	Open Burning	Approved	11/6/2006
4	Midwest Grain Processors	Air Quality	Bryan Bunton	Bypass Thermal Oxidizer	Approved	11/7/2006
5	Spencer Municipal Hospital	Air Quality	Bryan Bunton	Start Construction Without Permit	Approved	11/8/2006
6	Pinnacle Food Group	Water Supply	Roy Ney	Heat Exchange Cooling Water	Approved	11/9/2006
7	Bemystic Enterprises	Water Supply	Roy Ney	Well Siting Criteria	Approved	11/20/2006
8	City of Winterset	Wastewater	Satya Chennupati	Directional Boring	Approved	11/21/2006
9	Hancock County	Floodplain	Jeff Simmons	Bridge Freeboard	Approved	11/27/2006
10	MidAmerican Energy	Air Quality	Kyle Ament	Mercury Control Test	Approved	11/13/2006
11	University of Iowa Power Plant	Air Quality	Kyle Ament	Biomass Trial Burn	Approved	11/28/2006